

Ambient Air Quality Surveillance. For such purposes, the method must be used in strict accordance with the operation or instruction manual associated with the method or the procedures and specifications provided in the method description and subject to any limitations (e.g., operating temperature range) specified in the applicable designation (see identification of the methods above). Vendor modifications of a designated method used for purposes of part 58 are permitted only with prior approval of the EPA, as provided in part 53. Provisions concerning modification of such methods by users are specified under Section 2.8 of Appendix C to 40 CFR part 58 (Modifications of Methods by Users).

In general, an automated method designation applies to any analyzer which is identical to the analyzer described in the designation. In some cases, similar analyzers manufactured prior to the designation may be upgraded (e.g., by minor modification or by substitution of a new operation or instruction manual) so as to be identical to the designated method and thus achieve designated status at a modest cost. The manufacturer should be consulted to determine the feasibility of such upgrading. States or other agencies wishing to use a method similar to the new lead equivalent method that employs procedures and specifications significantly different from those in EQL-0196-113 must seek specific approval for their particular method under the provisions of Section 2.8 of Appendix C to 40 CFR part 58 (Modification of Methods by Users), or agencies may seek designation of such a method as an equivalent method under the provisions of 40 CFR part 53.

Part 53 requires that sellers of designated method analyzers comply with certain conditions. These conditions are given in 40 CFR 53.9 and are summarized below:

(1) A copy of the approved operation or instruction manual must accompany the analyzer when it is delivered to the ultimate purchaser.

(2) The analyzer must not generate any unreasonable hazard to operators or to the environment.

(3) The analyzer must function within the limits of the performance specifications given in Table B-1 of part 53 for at least one year after delivery when maintained and operated in accordance with the operation manual.

(4) Any analyzer offered for sale as a reference or equivalent method must bear a label or sticker indicating that it has been designated as a reference or

equivalent method in accordance with part 53.

(5) If such an analyzer has two or more selectable ranges, the label or sticker must be placed in close proximity to the range selector and indicate which range or ranges have been included in the reference or equivalent method designation.

(6) An applicant who offers analyzers for sale as reference or equivalent methods is required to maintain a list of ultimate purchasers of such analyzers and to notify them within 30 days if a reference or equivalent method designation applicable to the analyzer has been canceled or if adjustment of the analyzer is necessary under 40 CFR part 53.11(b) to avoid a cancellation.

(7) An applicant who modifies an analyzer previously designated as a reference or equivalent method is not permitted to sell the analyzer (as modified) as a reference or equivalent method (although he may choose to sell it without such representation), nor to attach a label or sticker to the analyzer (as modified) under the provisions described above, until he has received notice under 40 CFR part 53.14(c) that the original designation or a new designation applies to the method as modified, or until he has applied for and received notice under 40 CFR 53.8(b) of a new reference or equivalent method determination for the analyzer as modified.

Aside from occasional breakdown or malfunctions, consistent or repeated noncompliance with any of these conditions should be reported to: Director, National Exposure Research Laboratory, Air Measurements Research Division (MD-78A), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711.

Designation of these reference and equivalent methods is intended to assist the States in establishing and operating their air quality surveillance systems under part 58. Technical questions concerning any of the methods should be directed to the appropriate applicant. Additional information concerning this action may be obtained from Frank F. McElroy, Air Measurements Research Division (MD-77), National Exposure Research Laboratory, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, (919) 541-2622.

Joseph K. Alexander,

Deputy Assistant Administrator for Research and Development.

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[FRL-5440-8]

Ambient Air Monitoring Reference and Equivalent Methods; Receipt of Application for Reference Method Determination

Notice is hereby given that the Environmental Protection Agency has received an application to determine if a new nitrogen dioxide monitoring method should be designated by the Administrator of the EPA as a reference method under 40 CFR part 53. The application was received on September 27, 1995 from Columbia Scientific Industries, P.O. Box 203190, Austin, Texas 78720, for their Model 5600 Oxides for Nitrogen Analyzer. If, after appropriate technical study, the Administrator determines that this method should be so designated, a notice thereof will be given in a subsequent issue of the Federal Register. For additional information regarding receipt of this application, contact Frank F. McElroy (MD-77), National Exposure Research Laboratory, U.S. EPA, Research Triangle Park, NC, 27711 (919-541-2622).

Joseph K. Alexander,

Deputy Assistant Administrator For Research and Development.

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[OPP-42076; FRL-4989-3]

Nebraska Plan for Certification of Pesticide Applicators

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of intent to approve Nebraska Certification Plan.

SUMMARY: On July 20, 1994, EPA approved, on a contingency basis, the Nebraska Certification Plan for Restricted Use Pesticide Applicators. Final approval of the Nebraska Certification Plan was contingent upon Nebraska revising its Plan in various areas. EPA has received the revised Nebraska Plan and based on a review of this revised plan, intends to give final approval. Notice is hereby given of the intention of the Regional Administrator, EPA Region 7, to grant final approval of the revised Nebraska Certification Plan.

DATES: Written comments should be submitted on or before April 19, 1996.

ADDRESSES: Send written comments, identified by docket control number "OPP-42076" to Richard O. Jacobson, U.S. Environmental Protection Agency, Lincoln Field Office, 100 Centennial Mall North, Rm. 289, Lincoln, NE 68508.